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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,828	09/05/2003	Phillip Craig Graves	64243.000015	7150

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EXAMINER

SUBRAMANIAN, NARAYANSWAMY

ART UNIT	PAPER NUMBER
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3691

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/655,828	Applicant(s) GRAVES ET AL.	
	Examiner Narayanswamy Subramanian	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) 72-76 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are
1,8,16,17,19,20,22,25,27,28,31,33,34,36,37,39,42-44,50,51,53,54,56,61 and 68-76.

DETAILED ACTION

1. This office action is in response to applicants' communication filed on January 8, 2008. Amendments to claims 1, 16, 31, 42, 72, and 74-76 and cancellation of claim 29 have been entered. Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-76 are currently pending of which claims 72-76 are withdrawn from consideration as discussed below. Applicants are respectfully requested to cancel the withdrawn non-elected claims 72-76 in response to this office action. Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-71 have been examined. The response to amendments, rejections and response to arguments are stated below.

Response to Amendment

2. Claims 72-76 are directed to inventions that is independent or distinct from the invention originally claimed for the following reasons:

Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-71 that were examined in the office action mailed on February 22, 2007 are drawn to a computerized method, a computer-readable medium and a system for securely authorizing and distributing stored-value card data over a first communications network having an identifier thereof, the method comprising: storing in a database a plurality of records comprising: stored-value card data for each stored-value card; at least one of: identifiers of trusted sources for making stored-value card processing requests and identifiers of trusted communications networks, which may include the first communications network for carrying or transmitting stored-value card processing requests, wherein the database is coupled to a central processor; receiving at the central processor a request to activate, deactivate, reload,

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refresh, or refund of a stored-value card over the first communications network from a requesting merchant terminal having an associated merchant terminal identifier; determining at the central processor at least one of: whether the respective requesting merchant terminal has a terminal identifier stored in the database; and whether the identifier of the first communications network over which the request is received is identified in the database as an identifier of a trusted communications network; and responsive to a determination that the first communications network over which the request was received is a trusted communications network, capturing the requesting terminal identifier and adding the terminal identifier to the database if not already stored; and activating, deactivating, reloading, refreshing, or refunding at the central processor the stored value card based on the determining step. A utility of this group of claims is determining at the central processor whether the identifier of the first communications network over which the request is received is identified in the database as an identifier of a trusted communications network.

The new claims 72-76 are drawn to a computerized method for securely authorizing and distributing stored-value card data over a first communications network having an identifier thereof, the method comprising: storing in a database a plurality of records comprising: stored-value card data for each stored-value card, and at least one of: identifiers of at least a first group of merchant terminals authorized to make particular stored-value card processing requests, each merchant terminal identified by a merchant terminal identifier; and identifiers of at least a first group of communications networks for carrying or transmitting stored-value card processing requests, particular stored-value card processing requests received over which are assumed authorized; wherein the database is coupled to a central processor; receiving at the central

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processor a stored-value card processing request over the communications network from a requesting merchant terminal having an associated merchant terminal identifier; determining at the central processor at least one of: whether the terminal identifier of the respective requesting merchant terminal identifies the requesting merchant as part of the first group of merchant terminals authorized to make particular stored-value card processing requests; and whether the identifier of the first communications network over which the stored-value card processing request identifies the first communications network as part of the first group of communications networks, from which particular stored-value card processing requests are assumed authorized; performing the stored-value card processing requests responsive to a determination that either the respective requesting merchant terminal is part of the first group of merchant terminals or the first communications network over which the stored-value card processing request is received is part of the first group of communications networks. A utility of this group of claims is determining at the central processor whether the identifier of the first communications network over which the stored-value card processing request identifies the first communications network as part of the first group of communications networks, from which particular stored-value card processing requests are assumed authorized.

The two claimed inventions are distinct, independent and different in their utility. Also the search required for examined claims is different from that required for claims 72-76, restriction for examination purposes as indicated is proper.

3. Since applicant has received an action on the merits for the originally presented invention drawn to claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-71, this invention has been constructively elected by original presentation for

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prosecution on the merits. Accordingly, claims 72-76 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Applicants are respectfully requested to cancel the withdrawn non-elected claims 72-76 in response to this office action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 8, 16, 17, 19, 20, 22, 25, 27, 28, 31, 33, 34, 36, 37, 39, 42-44, 50, 51, 53, 54, 56, 61 and 68-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lorsch (US Patent 5,903,633).

Claims 1, 31 and 42, Lorsch teaches a computerized method, a computer-readable medium encoded with computer program code and a system for securely authorizing and distributing stored-value card data over a first communications network having an identifier thereof, the method comprising: storing in a database a plurality of records (See Abstract, Lorsch Column 5 lines 25-35) comprising: stored-value card data for each stored-value card (See Lorsch Abstract, Column 5 lines 25-45); at least one of: identifiers of trusted sources for making stored-value card processing requests and identifiers of trusted communications networks, which may include the first communications network for carrying or transmitting stored-value card processing requests, wherein the database is coupled to a central processor

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(See Abstract, Lorsch Column 7 line 27- Column 8 line10); receiving at the central processor a request to activate, deactivate, reload, refresh, or refund of a stored-value card over the first communications network from a requesting merchant terminal having an associated merchant terminal identifier (See Abstract, Lorsch Column 7 line 27- Column 8 line10); determining at the central processor at least one of: whether the respective requesting merchant terminal has a terminal identifier stored in the database; and whether the identifier of the first communications network over which the request is received is identified in the database as an identifier of a trusted communications network (See Abstract, Lorsch Column 7 line 27- Column 8 line10); and responsive to a determination that the first communications network over which the request was received is a trusted communications network, capturing the requesting terminal identifier and adding the terminal identifier to the database if not already stored; and activating, deactivating, reloading, refreshing, or refunding at the central processor the stored value card based on the determining step (See Abstract, Lorsch Column 7 line 27- Column 8 line10). A computer-readable medium encoded with computer program code and a system for performing the above steps are inherent in the disclosure of Lorsch.

Claim 8, the steps wherein said stored-value card is selected from the group consisting of: a gift card, a prepaid gas card, a prepaid grocery card, a prepaid entertainment card, a card used for downloading ring tones, a card used for downloading software, a card used for downloading music files, and a customer rewards card are old and well known uses of a stored value card. These features make them useful as gift cards also.

Claims 16, 33 and 50, Lorsch teaches the step wherein the first communications network is a dedicated data circuit, and the determining step is based on whether the dedicated data circuit is a trusted communications network (See Lorsch Column 3 lines 16-65).

Claims 17, 34 and 51, Lorsch teaches the step wherein the request is transmitted over the Internet (See Lorsch Column 3 lines 35-45, a public network is interpreted to include the Internet).

Claims 19, 36 and 53, Lorsch teaches the step wherein the respective requesting merchant terminal has a static IP address, and the determining step is based on whether the static IP address is a trusted source of processing requests (See Lorsch Abstract, Column 7 line 27- Column 8 line10, location of merchant is interpreted to include a static IP address).

Claims 20, 37 and 54, Lorsch teaches the step wherein the respective requesting merchant terminal is assigned a static IP address, the respective requesting terminal enters a password to access a network wherein the password is based on or identical to the static IP address, the merchant terminal communicates with the central processor using the static IP address, and the determining step is based on whether the static IP address is a trusted source of processing requests (See Abstract, Lorsch Column 7 line 27- Column 8 line10, location of merchant is interpreted to include an assigned static IP address).

Claims 22, 39 and 56, Lorsch teaches the step wherein the request is transmitted over a public switched telephone network and the respective requesting merchant terminal is determined to be a trusted source by performing a step selected from the group consisting of: identifying the telephone number used by the merchant terminal and communicating an

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acceptable password or terminal ID to the central processor (See Abstract, Lorsch Column 6 lines 35-50 and Column 7 line 36 - Column 8 line 7).

Claim 25, Lorsch teaches the step wherein each record stored in the database further includes a parameter corresponding to the value associated with each respective stored-value card selected from the group consisting of: parameters indicative of predefined time units and parameters indicative of one or more predefined dollar values (See Abstract, Lorsch Column 8 lines 35-40).

Claim 27, Lorsch teaches the step wherein the request to activate, deactivate, reload, refresh, or refund a stored value card is a request for changing a value associated with a respective stored-value card, the request transmitted to the central processor from a respective requesting merchant terminal, the central processor configured to accept the request to activate, deactivate, reload, refresh, or refund a stored value card based on whether the respective identifiers stored in the record for the stored-value card match identifiers actually transmitted by the requesting merchant terminal for that stored-value card and merchant terminal (See Abstract, Lorsch Column 7 line 36 - Column 8 line 7 and Column 8 lines 40-52, adding minutes implies changing a value associated with a respective stored-value card).

Claim 28, Lorsch teaches the step comprising selectively encoding the requests to activate or deactivate based on a table of predefined codes stored in the database, the predefined codes being associated with respective user groups or locations (See Lorsch Column 5 line 32- Column 6 line 5).

Claims 43-44, Lorsch teaches the steps wherein said processing request is selected from a group consisting of: a request to change the status of the stored-value card, a request to

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activate the stored-value card, a request to deactivate the stored-value card, a request to change the value of the stored-value card, a request to refresh the stored-value card, and a request to redeem the value of the stored-value card; and wherein the processing step is selected from the group consisting of: changing the status of the stored-value card, activating the stored-value card, deactivating the stored-value card, changing the value of the stored-value card, refreshing the stored-value card, and redeeming the value of the stored-value card (See Lorsch Column 5 line 32- Column 6 line 5 and Column 7 line 27 – Column 8 line 52, adding minutes implies changing a value associated with a respective stored-value card).

Claim 61, Lorsch teaches the feature wherein said stored-value card is a card used for a purpose, selected from the group consisting of: downloading music files, downloading of games, enabling long distance telephone communication, enabling wireless communication, enabling paging services, enabling internet communication services, and enables wireless web access (See Lorsch Column 4 lines 32-47).

Claim 68, Lorsch teaches the step wherein receiving at the central processor a request from a customer to add stored value to a customer account, the request including a first identifier, wherein the first identifier and the stored value are associated with the stored-value card, and wherein the customer account is managed by a provider (See Lorsch Column 8 lines 33-67); and providing from the central processor a provider identifier associated with the provider to the customer, wherein the provider identifier is effective to add the associated stored value to the customer account (See Lorsch Column 3 line 45 – Column 4 line 4, the return code is interpreted to include the provider identifier).

Claims 69-71, Lorsch teaches the steps of establishing at the central processor communication between the customer and a provider communications system managed by the provider (See Lorsch Column 4 lines 37-47); wherein the provider communications system is an IVR system (using a special telephone number implies this feature in view of the other disclosure); and wherein the provider communications system is configured to add associated stored value to the customer's account after receiving the provider identifier from the customer (See Lorsch Column 4 lines 15-63, activated PINs implies this feature).

Response to Arguments

6. Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure have been listed on the enclosed PTO-892.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached at (571) 272-6771. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished

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applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Narayanswamy Subramanian/
Primary Examiner
Art Unit 3691

April 14, 2008